IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION NO.38 OF 2003

IN

ARBITRATION PETITION NO.24 OF 2000

Shashikant R. Shinde Proprietor
of M/s.Shri Ganesh Investments...Petitioners

Versus

Sanjay M. Trivedi & Ors...Respondents

Mr. J.Rais with Pranli Shet i/b.
S.D. Raje for the Petitioner.
Mr.A.A. Mukri i/b. Murshit & Co., for the Respondent
Nos. 1 and 2.
Mr.Sharad Joshi, representative of Bombay Stock
Exchange present.

CORAM: F.I. REBELLO J.
DATE : 4th May, 2005

P.C.

. Heard learned Counsel for the parties.

2. The challenge to the award before this Court was based on the allegation of bias, which was rejected by order dated 4th April, 200. An Appeal was preferred being Appeal No.313 of 2002 which was disposed of as withdrawn by order dated 17th February, 2003. Para.2 of the order would disclose that a statement was made that the points were not pressed before the Single Judge on the earlier occasion.

3. In order to exercise the review jurisdiction the petitioner must make out a case of error apparent or must disclose new material which has come to their knowledge, which were not available earlier if such a ground can be raised in a challenge to an Award. Without going into the merits, whether that could be ground in so far as the first challenge is

concerned no ground is made out disclosing an error apparent warranting interference by this Court. Hence Review Application disposed of.

4. Learned Counsel seeks a direction that the respondent No.3 be directed not to make payments. There was no interin relief since disposal of the matter. Considering that this would not be an appropriate case for grant of any relief at this stage.

(F.I. REBELLO, J.)